

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL GARRISON,

Plaintiff,

v.

Case No. 09-10231

Hon. Lawrence P. Zatkoff

Magistrate Judge Charles Binder

MICHIGAN DEPARTMENT OF
CORRECTIONS, PATRICIA CARUSO,
MICHAEL MARTIN, and
JULIUS O. CURLING,

Defendants.

**OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter comes before the Court on Magistrate Judge Binder's report and recommendation [dkt 35] of July 2, 2009, in which the Magistrate Judge recommends denying Plaintiff's motion for summary judgment [dkt 30]. Neither party has filed an objection to the report and recommendation. The Court has thoroughly reviewed the court file and the report and recommendation. As a result of that review, the Court ADOPTS the report and recommendation and enters it as the findings and conclusions of this Court as it pertains to the denial of Plaintiff's motion.

Therefore, IT IS HEREBY ORDERED that Plaintiff's motion for summary judgment is DENIED.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: July 29, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on July 29, 2009.

S/Marie E. Verlinde

Case Manager

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